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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,224	09/25/2001	Maria Gaos	30332-3	2786

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EXAMINER

BROWN JR, NATHAN H

ART UNIT PAPER NUMBER

2121

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner's Detailed Office Action

1. This Office is responsive to the communication for application 09/964224, filed March 21, 2005.
2. Applicant's election of Group II, claims 3-23 in the reply filed on July 11, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
3. Accordingly, this restriction requirement is made Final. Claim 2 is withdrawn from consideration and claims 3-23 are acted upon below.

Objections to the Claims

4. Claim 22 is objected to because of the following informalities: "expehs" should be -- experts --.
5. Claim 22 is objected to because of the following informalities: "fo" should be -- of --.

Art Unit: 2121

“a processor to executed the set of instruction” should be -- a processor to execute the set of instructions --

6. Claims 3, 7, 10, 11, 12, 15, 18, 19, 20, and 22 are objected to because of the following informalities:

claim 3, line 5, “and” should be -- or -- (see also line 12),

claim 7, lines 2 and 3 “and” should be --or --;

claim 10, line 2 “and” should be --or --;

claim 11, lines 3 and 4 “and” should be --or --;

claim 12, line 2 “and” should be --or --;

claim 15, lines 2 and 3 “and” should be --or --;

claim 18, line 2 “and” should be --or --;

claim 19, lines 3 and 4 “and” should be --or --;

claim 20, line 2 “and” should be --or --;

claim 22, lines 5, 7, 8, 13, “and” should be --or -- ; and

claim 22, line 16 “and” (first occurrence) should be --or -- .

Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 3, 4, 10 are rejected under 35 U.S.C. 102(a) as being anticipated by *Miyashita et al.* (USPN 6,057,856).

Regarding claim 3. (New) *Miyashita et al.* teach a method, comprising the steps of: communicating with a participant using an input/output arrangement to obtain at least one of background information and preference information (*see col. 29 line 59 to col. 30 line 6, Examiner interprets the Community Place Bureau to be the input/output arrangement and “the shared data” to comprise background and preference information.*); generating a participant profile as a function of the background information (*see col. 29 line 59 to col. 30 line 6, Examiner interprets “the shared data” to be a participant profile.*), the participant profile including at least one of a participant identity and participant personal information (*see col. 29 line 59 to col. 30 line 6, Examiner interprets “the shared data” to be a participant profile and “user ID” to be a participant identity and “the shared data” to contain participant personal information.*); creating a virtual reality environment using at least one of the participant profile and the preference information (*see col. 30 lines 24-32, Examiner interprets the “solid sphere ... around the user” plus the “surrounds information table”, containing the user ID and shared data, to*

Art Unit: 2121

be a virtual reality environment using at least one of the participant profile and the preference information.), the virtual reality environment including a virtual personal assistant and being presented to the participant via the input/output arrangement (*see col. 30 lines 38-40, Examiner interprets "avatars of other users" to include a virtual personal assistant.*); receiving a request from the participant using the virtual personal assistant (*see col. 12, lines 20-31, Examiner interprets "user" to be a participant and conversations between user and service provider to comprise receiving requests from the participant.*); processing the request using an artificial intelligence engine and at least one of the preference information and the participant profile to generate request data (*see col. 12, lines 20-31, Examiner interprets "service provider" to be an (artificially) intelligent agent.*); obtaining a response data as a function of the request data from at least one remote location via a communications network (*see Fig. 23 and col. 12, lines 20-31, Examiner asserts that response data from the "service provider" is issued from the "service provider terminal" which is remote from the "user terminal" in the communications network shown in Fig. 23.*), the response data including at least one of information, product data and service data (*see col. 12, lines 58-59*); and providing the response data to the participant via the virtual reality environment (*see col. 12, lines 32-48*).

Regarding claim 4. (New) *Miyashita et al.* teach the method of claim 3, wherein the virtual personal assistant is configured to converse with the participant using a natural language (*see col. 12, lines 20-31, Examiner interprets "avatar F" to be a virtual personal assistant.*).

Art Unit: 2121

Regarding claim 10. (New) *Miyashita et al.* teach the method of claim 3, wherein the participant profile further includes data pertaining to the participant's preferences for at least one of information, product data and service data (*see col. 29 line 59 to col. 30 line 6, Examiner interprets "shared data" to comprise the participant's preferences for information.*).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 12, 7, 9, 15, 17, 18, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Miyashita et al.* in view of *Slotznick* (USPN 5,983,200).

Regarding claim 12. (New) *Miyashita et al.* teach a system, comprising: a memory storage device storing a participant profile generated as a function of background information (*see Fig. 1 and col. 29 line 59 to col. 30 line 1, Examiner interprets the "user control table" to comprise a participant profile generated as a function of background information and to be stored in RAM in host B running the Community Place Bureau's shared server terminal.*), the participant profile including at least one of a participant

Art Unit: 2121

identity and participant personal information (*see col. 29 line 59 to col. 30 line 6, Examiner interprets "the shared data" to be a participant profile and "user ID" to be a participant identity and "the shared data" to contain participant personal information.*); an input/output arrangement communicating with the participant to obtain at least one of the background information and preference information (*see Fig. 29, Examiner interprets the chat window of the client terminal browser to be an input/output arrangement capable of communicating with the participant to obtain at least one of the background information and preference information.*), the input/output arrangement configured to present a virtual reality environment created as a function of at least one of the participant profile and the preference information (*see Fig. 29 and col. 30, lines 29-37, Examiner interprets the main window of the client terminal browser to be configured to present a virtual reality environment created as a function of at least one of the participant profile and the preference information.*), the virtual reality environment including a virtual personal assistant which receives a request from the participant (*see Fig. 29, Examiner interprets either avatar A or B to be a virtual personal assistant which receives a request from the participant.*); and a communications arrangement connected to at least one remote location via a communications network to obtain response data (*see Fig. 23 and col. 12, lines 20-31, Examiner asserts that "service provider terminal" remotely connected to the "user terminal" via the communications network shown in Fig. 23 is a communications arrangement connected to at least one remote location via a communications network to obtain response data.*), the response data is a function of the request data and includes at least one of information, product data and service data (*see col. 12, line 58 to col. 13 line 3*).

Miyashita et al. does not teach an artificial intelligence engine processing the request to generate request data as a function of the request and at least one of the preference information and the participant profile.

However, *Slotznick* does teach (2) an artificial intelligence engine processing the request to generate request data as a function of the request and at least one of the preference information and the participant profile (*see Abstract, Examiner interprets the computer running the agent to be an artificial intelligence engine and further interprets "commercial transactions" to require selecting and obtaining remote data based on a request and at least one of the preference information (i.e., what to transact) and the participant profile (e.g., credit data).*).

It would have been obvious at the time the invention was made to persons having ordinary skill in the art to combine *Miyashita et al.* with *Slotznick* to incorporate the ability of executing tasks at a future time and on a periodic basis.

Regarding claim 22. (New) *Miyashita et al.* teach a system comprising a participant premise equipment (PPE) connected to an input/output arrangement (*see Fig. 23, items 13-1 and 13-2, Examiner interprets "client terminal" to be PPE.*), the PPE including a memory arrangement to store a set of instructions and a processor to execute the set of instruction (*see Fig. 7 and col. 3, lines 59-60*), the set of instructions being operable to:

Art Unit: 2121

communicate with a participant using the input/output arrangement to obtain at least one of background information and preference information (see col. 23, lines 41-47,

Examiner interprets HTML to be the set of instructions being operable to:

communicate with a participant using the input/output arrangement to obtain at least one of background information and preference information.); generate a participant profile as a function of the background information (see col. 29 line 59 to col. 30 line 6, Examiner interprets "the shared data" to be a participant profile.), the participant profile including at least one of a participant identity and participant personal information (see col. 29 line 59 to col. 30 line 6, Examiner interprets "the shared data" to be a participant profile and "user ID" to be a participant identity and "the shared data" to contain participant personal information.); create a virtual reality environment using at least one of the participant profile and the preference information (see col. 30 lines 24-32, Examiner interprets the "solid sphere ... around the user" plus the "surrounds information table", containing the user ID and shared data, to be a virtual reality environment using at least one of the participant profile and the preference information.), the virtual reality environment including a virtual personal assistant and being presented to the participant via the input/output arrangement (see Fig. 29, Examiner interprets either avatar A or B to be a virtual personal assistant); receive a request from the participant using the virtual personal assistant (see Fig. 29, Examiner interprets either avatar A or B to be a virtual personal assistant which receives a request from the participant.), process the request (see col. 12 line 67 to col. 13 line 3), obtain a response data as a function of the request data from at least one remote location via a communications network (see col. 17 line 66 to col. 18 line 11, Examiner interprets "shared server terminal" and the "mapping

Art Unit: 2121

server terminal" to be remote from the "client terminal".), the response data including at least one of information, product data and service data (see col. 17 line 66 to col. 18 line 11, Examiner interprets "three-dimensional scene data representing only basic objects" transmitted by the information server terminal to be information.); and provide the response data to the participant via the virtual reality environment (see col. 17 line 66 to col. 18 line 11, Examiner notes that the requested "virtual reality space" is displayed via the virtual reality environment upon receipt.).

Miyashita et al. do not teach processing the request using an artificial intelligence engine and at least one of the preference information and the participant profile to generate request data.

However, *Slotznick* does teach processing the request using an artificial intelligence engine and at least one of the preference information and the participant profile to generate request data (see Abstract, *Examiner interprets the computer running the agent to be an artificial intelligence engine and further interprets "commercial transactions" to require selecting and obtaining remote data based on a request and at least one of the preference information (i.e., what to transact) and the participant profile (e.g., credit data).).*

It would have been obvious at the time the invention was made to persons having ordinary skill in the art to combine *Miyashita et al.* with *Slotznick* to incorporate the ability of executing tasks at a future time and on a periodic basis.

Regarding claims 7 and 15. (New) *Miyashita et al.* teach the method of claim 3 and system of claim 12, wherein at least one of the participant profile, the virtual electronic environment or the virtual reality assistant are continuously adjusted as functions of at least one of the request data, the preference information, and the background information (*see col. 15, lines 24-38, Examiner interprets "positional data" to be one of the participant profile which is continuously adjusted as a function of movement request data generated by controller moves on the client terminal.*).

Regarding claims 9 and 17. (New) *Miyashita et al.* teach the method of claim 3 and system of claim 12, wherein the virtual personal assistant is an avatar including audio and visual representations (*see col. 12, lines 20-31, Examiner interprets an avatar to be a representation of a virtual personal assistant.*).

Regarding claim 18. (New) *Miyashita et al.* teach the system of claim 12, wherein the virtual reality environment includes a selection menu for at least one of information, product data and service data (*see Fig. 29, Examiner interprets the Bookmark drop down to provide a selection menu for information (i.e. virtual spaces).*).

Art Unit: 2121

Regarding claim 20. (New) *Miyashita et al.* teach the system of claim 12, wherein the input/output arrangement includes at least one of a visual display unit, a microphone, an audio output device and a pointing device (*see Fig. 8*).

Regarding claim 21. (New) *Miyashita et al.* teach the system of claim 12, wherein the system is a set-top box (*see Fig. 25, Examiner interprets the client terminal 13-1 to be a set-top box.*).

Regarding claim 23. (New) *Miyashita et al.* teach the system of claim 22, wherein the PPE is a set-top box (*see Fig. 25, Examiner interprets the client terminal 13-1 to be PPE and a set-top box.*).

11. Claims 5, 11, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Miyashita et al.* in view of *Martino et al.* (USPN 6,061,646).

Regarding claims 5 and 13. (New) *Miyashita et al.* teach the method of claim 3 and system of claim 12. *Miyashita et al.* do not teach the method of claim 3 and system of claim 12, wherein the virtual personal assistant includes a further artificial intelligence engine adapted to recognize a plurality of natural languages. However, *Martino et al.* do teach a virtual personal assistant that includes a artificial intelligence engine adapted to recognize a plurality of natural languages (*see Abstract, Examiner interprets the "speech recognition engine" to be an artificial intelligence engine. Examiner further interprets*

Art Unit: 2121

the first and second utterance recognition capabilities, small dictionaries, large dictionaries, and the capability to respond aurally or visually to comprise the capabilities of virtual personal assistant.). It would have been obvious at the time the invention was made to persons having ordinary skill in the art to combine *Miyashita et al.* with *Martino et al.* to provide computing based services to people of limited computer skill and who speak different languages.

Regarding claims 11 and 19. (New) *Miyashita et al.* teach the method of claim 3 and system of claim 12. *Miyashita et al.* do not teach an artificial intelligence engine that includes at least one of a phonetic parsing module, a list of frequently used vocabulary in a selected geographic region, a speech recognition module, a digital video and audio recognition module, a data mining module, a searching module, a knowledge database and an experts database. *Martino et al.* do teach an artificial intelligence engine that includes at least a speech recognition module (*see* Abstract). It would have been obvious at the time the invention was made to persons having ordinary skill in the art to combine *Miyashita et al.* with *Martino et al.* to provide computing based services to people of limited computer skill and who speak different languages.

Allowable Subject Matter

12. Claims 6, 8, 14, and 16 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

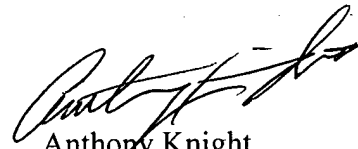
Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan H. Brown, Jr. whose telephone number is 571-272- 8632. The examiner can normally be reached on M-F 0830-1700. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the

Art Unit: 2121

Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free).

A handwritten signature in black ink, appearing to read 'Anthony Knight', is positioned above the printed name.

Anthony Knight
Supervisory Patent Examiner
Tech Center 2100

Nathan H. Brown, Jr.

March 7, 2006

In the Claims: